

CHILD TAKEN BY FATHER; ARRESTED

Parental Difficulties Starting In Virginia Have Climax In El Paso.

HUSBAND IN JAIL; WIFE IS WEEPING

A tale of a mismatched couple, a wife who had left home with her little girl, had been followed to El Paso by her husband, who attempted to kidnap the child but failed, was unfolded Saturday night when H. T. Kluge, a galvanized iron manufacturer of North Emporia, Va., attempted to take his 11 year old daughter, Jennie, on the California Fast Mail to get her away from her mother, Mrs. H. T. Kluge, who lives with her mother, Mrs. Inez Vincent, at 513 North Florence street. When the Sunset limited left the union station Saturday evening, a woman was seen running frantically through the train searching for a child. She was accompanied by officer Henderson and when the train arrived at the Stanton street station, she left it and rode away in an automobile in a hysterical condition. In the meantime a stranger, wearing a false mustache and leading a delicate little girl by the hand, arrived at the union station. The girl wore a Mexican shawl and a high crowned straw hat, a new ready made dress and pink socks and slippers. In spite of the man's disguise and the attempt to disguise the girl, they were stopped at the gates to the station yards by policeman Henderson, stationmaster John Mereson and W. M. Johnson, union station immigration inspector.

He finally admitted his identity and accompanied the police to the station without resistance. The little girl was taken with him. At the station he was decked on the charge of felony in attempting to kidnap the girl and also with carrying concealed weapons, he having had a large caliber pistol strapped to his side when searched.

Mother Gets Child.
The little girl was delivered to the frantic mother, who took her home, where she was closely guarded until an injunction was served out Sunday afternoon restraining Kluge from attempting to take the child. The prayer for the injunction was asked by Volney Brown, attorney for Mrs. Kluge, and was issued before Judge A. M. Wallhall in special chamber session. The bond was fixed at \$500 and the Virginian was detained at the police station in default of the bond. P. E. Gardner is Kluge's attorney.

Kluge Tries Habeas Corpus.
Kluge attempted to secure his release from the county jail Sunday afternoon on a writ of habeas corpus, but Judge James R. Harper held him pending his furnishing of the sum of \$500 in default of which he is still held in the county jail.

In the event that he should secure bond, he will, says deputy constable J. W. Brown, be immediately rearrested on a peace bond following a complaint taken Sunday by Justice E. B. McClintock. However, this warrant was never served as the man is in the custody of the sheriff.

Kluge claims that he discovered letters in the possession of his wife that caused him to accuse her of deception. Mrs. Kluge denies having received any letters and says that he was cruel until she was forced to leave him.

The Husband's Story.
Kluge is a well dressed, intelligent man of the skilled artisan class. He tells a straightforward story, admits that he took the child, but says that he did it because his wife would not allow the little girl to write to him. "About 18 months ago my wife started deceiving me about letters she received," he said.

The Wife Leaves.
"She left North Emporia on April 12 for El Paso to visit her mother, Mrs. Inez Vincent, 513 North Florence street. We were married in Austin, Texas, in 1902, when I was running a tinshop there. We lived at Norfolk two and a half years and then moved to North Emporia.

"When she left she carried three trunks of cut glass and books with her. I had no idea of her going, for she had packed up so many times that I had become weary of it. "I located her through some friends who got cards from her. I wrote her and told her that I knew Jennie would write to me if she was not prevented. I also told her that if I did not hear from Jennie in a reasonable time I would make her suffer. I had in mind getting the child away from her when I wrote that. I never heard a word from the little girl. Saturday after I arrived here, when I asked her why she had not written, she said: 'Papa, I was afraid. Mama threatened me.'"

His Stay In El Paso.
"I came here on the Golden State"

ROOSEVELT IS WANTED AS WITNESS

Congress Asks Him To Tell What He Knows of Steel Trust Doings.

CONGRESS SHIES AT M'NAMARA CASE

Washington, D. C., May 29.—Theodore Roosevelt is desired as a witness before the special "Steel trust" investigation committee of the house. A request has been sent to Mr. Roosevelt to appear and tell what he knows about the taking of the Tennessee Coal and Iron company by the United States Steel corporation.

John W. Gates, who was before the committee Saturday, contradicted practically all the statements in Mr. Roosevelt's letter to general attorney Bonaparte in which it was set forth that E. H. Gary and H. C. Frick had volunteered to avert a financial disaster by taking over the Coal and Iron company. Mr. Roosevelt will be asked to harmonize the apparent discrepancies.

Congress Will Not Interfere.
That congress will not conduct an investigation into the arrest and extradition to California in connection with the Los Angeles dynamiting case of J. J. McNamara, the Indianapolis labor leader, was indicated today when the house committee on rules decided to take no action on the Berger resolution providing for such an inquiry.

Democrats Rescind Action.
By a vote of 41 to 11, the Democratic senators in caucus rescinded their former decision to support the Martin resolution providing for a reinvestigation of the former case by the committee on privileges and elections. This action left the Democrats uncommitted to any program when the Lorimer case came up in the senate today.

Artist Claims Discrepancy.
Albert Rosenthal, a Philadelphia portrait painter, today started the house committee which is investigating expenditures in the state department with the charge that he received only \$850 for a portrait of associate justice Wm. R. Day, former secretary of state, while the state department records contain a voucher and receipt indicating that he was paid \$3250.

HOURS OF SERVICE LAW CONSTITUTIONAL

Supreme Court Upholds Act Passed by the U. S. Congress.

Washington, D. C., May 29.—"The hours of service law for railroad employees" passed by congress in 1907, was upheld today as constitutional by the supreme court of the United States. This decision was announced by justice Hughes in the test case instituted by the Baltimore and Ohio Railroad company.

Features of the Act.
The act made it unlawful for any common carrier engaged in interstate commerce to permit any trainman subject to the act to remain on duty for a longer period than 16 consecutive hours, or any telegraph operator more than nine or 13 hours, according to the time the telegraph station was opened for business. The act also created periods of rest for the employees.

The Baltimore & Ohio Railroad company attacked the law as unconstitutional on the ground that it applied to interstate as well as to interstate railroads and employees. The order by which the interstate commerce commission placed the law into operation was attacked also. The railroad claimed that congress could not and did not attempt to delegate to the commission the power to require reports of violation of the law; that the labor and expense necessary to make the reports constituted a taking of the railroad's property without due process of law, and therefore in violation of the constitution; and that it compelled self-incrimination by officers and employees of the railroad, also in violation of the constitution.

The objections to the law were met with denials by the government. Both the law itself and the order, drafted by the interstate commerce commission, were upheld as constitutional by the circuit court of the United States for the district of Maryland, where the case originated.

ONE KILLED IN TRAIN WRECK

Fast Trains Collide Near McCook, Nebraska, At High Speed.

BASEBALL PLAYERS AMONG THE INJURED

McCook, Neb., May 29.—The west-bound Colorado limited train No. 9 and east-bound passenger No. 11 on the Burlington road collided during a thick fog nine miles east of here early this morning. Nine persons were killed and 18 injured.

The members of the Omaha and Denver Western league ball teams were passengers on the westbound train. All were severely bruised and shaken up, but none seriously injured.

Both Trains Injured.
James McGill, president of the Denver club, had one of the bones in his left foot broken and pitcher Kinsella of the Denver team received a deep cut in the face.

Resisting At High Speed.
Both trains were running at high speed when the collision occurred, but the force of the collision was apparently felt more by the heavy west-bound train. The day coach was reduced to splinters, and in this coach most of the casualties occurred.

Both engines were reduced to a mass of twisted steel, in which were the mangled bodies of the engineers and firemen.

Relief Train Sent.
As soon as news of the wreck reached McCook, two relief trains carrying surgeons and nurses were made up and hurried to the scene of the wreck. The dead and injured will be brought here. It will be several hours before the track can be cleared.

The cause of the accident has not been learned, but it is reported that a misunderstanding of orders occurred.

MEXICO'S CASE IS CLOSED BY THURMOND

Burges to Complete Argument for United States Tuesday.

Mexico's side of the Chamizal case was completed by Seymour Thurmond Monday and the final presentation of the United States case will be made by R. E. Burges, Tuesday. He expects to complete his argument Tuesday, so that the decision may immediately retire to consider the case.

Thurmond, in summing up Mexico's case, contended that the treaty of 1884 was not retroactive and could not have been because it would have been unconstitutional so far as the United States is concerned. He did argue that the treaties of 1848 and 1853 fixed an invariable boundary and by right thereof the land in dispute is properly the property of Mexico.

He said that the burden of proof rested upon the United States to show the change in the channel of the river from 1852 to its present place was caused by gradual erosion and not as has been submitted in evidence by changes during flood times.

CAPITOL TO REMAIN AT OKLAHOMA CITY

Statute Authorizing Removal Not Unconstitutional Says Supreme Court.

Washington, D. C., May 29.—The capital of Oklahoma will remain at Oklahoma City so far as the supreme court of the United States is concerned. The tribunal today declined to hold that the Oklahoma statute enacted last December to remove the capital from Guthrie was unconstitutional.

EL PASO TO ATTEND THE BRITISH CORONATION

El Paso will have a representative at the coronation of King George V. McCormack, tower man of the union station interlocking tower, is planning to leave on June 1, for a three month tour of the old country and to see the coronation exercises. As an ex-member of the famous yeoman cavalry which fought with distinction through the British-Boer war, Mr. McCormack was drawn up and filed in justice E. B. McClintock's court Monday morning, as it was feared the first complaint might prove defective.

The Alleged Plot.
Viljoen declares that De Villiers (Continued on Page Two).

PLOT ON LIFE OF MADERO ALLEGED

B. J. Viljoen Causes Arrest of Boer War Veteran Here—Bribery Alleged.

ANOTHER MAN IN JAIL AT MONTEREY

An alleged plot on the life of Madero, coupled with a plan for an independent revolution to overthrow the rebel chief, championed, it is claimed, by the Cientifico party of Mexico, was disclosed Sunday night by a dual arrest. Daniel de Villiers, a South African, was arrested by El Paso police and is held on papers charging "conspiracy to murder."

Shortly here he was arrested in an El Paso hotel, Billy Smith and Mexican police at Monterey arrested W. F. Dunn, an American, on information from El Paso.

Attempts to bribe two men closest to Madero is charged. According to Viljoen's statement, Gen. Pascual Orozco, military commander of the rebel forces, and Gen. Benjamin J. Viljoen, former Boer commander, acting as military adviser, were approached with offers of bribe. To carry out the plan, they pretended to act the part of traitors, the while informing Madero of the plans against him. In this manner some particulars of the plan are known, while otherwise the proofs would have been hazy in the extreme.

It is asserted that the two suspects were active agents of Andres Garza Gil, of Ciudad Porfirio Diaz, said to be the agent in the north of the moneyed controllers of the federal government—the Cientificos. In perfect communication with him, according to Viljoen, they operated in El Paso, procuring information as to Madero's plans, and believing that they had influenced two of the revolutionist's trusted servants, Garza Gilen is a younger member of the "Cientifico" aggregation. While his father was made governor of Coahuila by the favor of Evaristo Madero, grandfather of the revolutionist, he has set himself against the Madero family at various times. It is charged.

De Villiers Accused Innocence.
De Villiers refused to be interviewed when seen in the county jail by a Herald reporter and representative of the Associated Press Monday morning, but he did say: "I will not say anything, fellows, but I will be out of here in a couple of days. They have no telegrams addressed to me and I do not know anything about the case."

"I am from San Antonio, Texas, where I have been engaged in ranching, but I never had any business in Mexico City. I did serve in the Boer war with Gen. Viljoen, but I have nothing to say about that nor anything else except that I am innocent."

De Villiers is a man 36 years of age, tall and well built, has deep set gray eyes, black hair that is streaked with gray and which he combs back in a pompadour. He speaks with a slight Dutch accent.

The offense with which De Villiers is charged is punishable by a prison sentence of from two to 10 years. Witnesses furnished by the "Cientifico" brought to El Paso, but must be arrested in Mexico and extradited to this country to appear as witnesses.

A New Complaint.
The complaint on which De Villiers was arrested was sworn out by deputy constable J. W. Brown on information and belief charging the defendant with conspiracy to murder Francisco I. Madero. The greater part of the information furnished by Gen. B. J. Viljoen, though Dan M. Jackson is proceeding as prosecuting attorney for the Maderos. A second complaint was drawn up and filed in justice E. B. McClintock's court Monday morning, as it was feared the first complaint might prove defective.

The Alleged Plot.
Viljoen declares that De Villiers (Continued on Page Two).

New Provisional President Of Mexico



FRANCISCO LEON DE LA BARRA.

AMERICAN IS BURNED AT STAKE IN MEXICO

San Francisco, Cal., May 29.—Refusing to comply with demands for money by a band of bandits at Ajuno, Michoacan, Robert J. Sweney, an American, superintendent of the Central railroad of Michoacan, was burned at the stake on May 16, according to the story of Jos. Hunsfelder, one of the refugees who arrived here yesterday on the steamer Newport from Manzanillo.

Hunsfelder says that the bandits had made demands for money of every American in the district. Some complied, but Sweney refused to pay. Hunsfelder declares that he made his way to Sweney's house, three miles distant from his own home, on May 19, and found the house burned to the ground and Sweney's body lashed to a post in the midst of burning embers.

Mrs. Sweney had disappeared and is believed to have been taken prisoner by the bandits and held for ransom.

Sweney is believed by Hunsfelder to have been a former resident of San Diego.

FARM HAND SHOTS A FAMILY TO DEATH

Pawnee City, Neb., May 29.—J. A. McVittie, his wife and two children, were shot and killed and a third child dangerously wounded in their beds early today by Jim Filder, a farm hand, who had been working for McVittie.

Filder later shot and killed himself after shooting sheriff Fuller three times and seriously wounding him.

AUTHOR OF PINAFLORE IS DEAD IN LONDON

London, England, May 29.—Sir William Schenk Gilbert, the British author and writer of comic opera librettos, died here this afternoon. He was born in 1836 and was knighted by king Edward in 1907.

DEMAND EXPULSION OF ALL PERUVIANS

Santiago Chile, May 29.—In consequence of the serious conflict between Peruvians and Chileans at Iquique, Chile, yesterday, resolutions were passed at a large public meeting held here today demanding the forcible expulsion of all Peruvians from the Chilean capital.

The consul of Peru has placed the consulate here in charge of the American consul.

GIRLS' SCHOOL EXERCISES

In the case of a heavy, prolonged rain this evening, the commencement exercises of the El Paso School for Girls scheduled for 8:30 o'clock at the school will be postponed until the same hour tomorrow evening. A slight shower will not result in a postponement.

BABY BOY ARRIVES

A boy was born to Mr. and Mrs. M. Pearl, of 1409 East Overland street Saturday morning.

NO CHANGES IN JUAREZ CIRCLES

Men Put Into Office by Madero Are Now Serving the Federal Government.

TAX ON CATTLE IS TO REMAIN

Export Duty Will Still Be Collected—Social Honors for Madero.

Technically the provisional officials installed in office at Ciudad Juarez are now representatives of the federal government, or the provisional government of De la Barra. Madero's resignation causes this somewhat of a muddle of governments.

However, no office holder will be changed, nor any laws or regulations altered. Abram Gonzalez remains the provisional governor of the state until appointed as actual governor by the state legislature. There remain nearly 1000 insurrecto soldiers in Ciudad Juarez, while more than 1500 wait at Casas Grandes under Gen. Orozco, who joined his men Saturday at the terminus of the Mexico-Northern Western line. Governor Gonzalez says that there are 1500 more about the city of Chihuahua.

Duty Remains on Cattle.
The changes of government will not affect the customs duties which have been collecting the taxes prescribed by the former ratings. An only instance of variation from the federal customs was the levy of five pesos a head on all cattle leaving Mexico. This was collected by the provisional government as a special war tax, in place of the former 10 cents a head charged by the state government. This special tax will remain for an indefinite time, officials announce, since the national government "needs the money." The income tax is unaltered.

Lower California Trip.
The manana's habit of the Mexicans is not confined to the federals. Saturday the insurrectos were going to start a large force of men to lower California Sunday to suppress the Magonistas and the Socialists, but there was not a ripple in the barracks Sunday.

Sonora Is Rebellious.
News came to Juarez Sunday from Hermosillo, Sonora, that the legislature of that state had elected a man other than the Madero selection for governor, but Madero has not yet as in the case of Coahuila, ordered his soldiers to take the capital and force the election of his man. He sent word to De la Barra, the new president. The Sonora legislature, accustomed to taking its orders from Mexico City, is expected to change front in a day or so.

Coahuila Rejected.
Madero has been advised that the Coahuila legislature has rejected from its stand and would elect Carranza to the governorship. This will prevent any further trouble there the insurrectos declare.

De la Barra Wires Madero.
Francisco I. Madero received the following telegram Saturday: Mexico, May 26, 1911.

Senor Francisco I. Madero. El Paso, Texas.

I am about to take possession of the provisional presidency of the republic. During the brief time that I am going to remain in that high position I will do my best to procure a realization of the aspirations of peace, of progress and of the sanest democracy in keeping with justice and of public opinion. I send you my salutations.

Francisco I. de la Barra.

CITIZENS TO GIVE BANQUET TO MADERO

Will Be Entertained at Toltec Club on Wednesday Evening.

Wednesday night Francisco I. Madero will be entertained at the Toltec Club on Wednesday evening.

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NEW VIADUCT FOR THE SMELTER ROAD

Work on the viaduct at old Fort Bliss will commence before July 1. Engineers of the various railroads met with mayor C. E. Kelly and aldermen J. I. Hewitt and W. S. Clayton this morning, and are meeting again this afternoon.

Mayor Kelly stated this morning that everything had been arranged satisfactorily or would be this afternoon and that the work would commence within 30 days at the latest.

This means that the old frame bridges over the railroad tracks on the smelter road will be eliminated and the steel structures will replace them.

A grade crossing will be established while the work of construction of the new viaduct is in progress.

In attendance at the meeting today are H. J. Simmons, general manager of the Southwestern; J. L. Campbell, engineer of the same road; C. W. Felt, of Topeka, Kas., chief engineer of the Santa Fe; W. W. Turney, attorney for the Santa Fe; D. K. Colburn, of Houston, Tex., engineer of maintenance of way of the G. H.; R. F. Jones, his assistant; G. S. Waid, local superintendent of the G. H.; and C. R. Morrill, his assistant in charge of maintenance of way; H. S. Potter, manager of the local Electric Railway company, and Leigh Clark, attorney for the local company.

Alfred Henry Lewis

Mysterious Visit From Washington; Madero Fears Pineda

MADERO now says that he will start for Mexico City Friday and go, not by way of Laredo, but Eagle Pass.

No cause is particularly assigned for these daily shifts of program which sets ever a later and then a later day for Madero's departure for the south. Some there believe that Madero has notice of plots against him to interrupt his journey—to take him captive or do worse. That may be as it may. Last night's developments appear to prove this. There are men with millions of money in Mexico who would dare anything, pay anything to be rid of Madero. Those Cientificos hate honest men as rats hate light.

Mysterious Visit.
Two days ago came a man from Washington. He appeared as the representative of a group of Americans which included John Hays Hammond and Henry Taft. It is said. He had come on to see Madero. Madero received him at his "palace" in Juarez. The man said before going to Juarez that he had no favors to ask. He was there to assist in the cause of peace.

COMMENTS ON MEXICAN SITUATION

Mexico City that de la Barra had been asked by the British representative to suppress El Pais, a Mexican newspaper, upon the charge that it had printed an article defamatory in character concerning said British representative and charging that envoy with having rendered unlawful comfort to Diaz. Azcona answered it without seeing Madero, signing Madero's name. Azcona—wired de la Barra against suppressing any newspaper, at any one's suit, saying that a "Free Press" had been one of the great war cries of the revolution.

This Sunday morning Madero took his energetic secretary to task, it is said. He made it plain that no one—not even his father or brothers—must send messages in his name without learning his view.

Madero said that while he heartily favored the sentiment as well as the substance of the Azcona dispatch, it was no part of his, Madero's, role to obviously direct de la Barra in the discharge of his office. De la Barra was

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MEXICANS FIGHT JUAREZ GAMBLING

The local anti-gambling fight, waged for many years against the houses of Ciudad Juarez by El Paso business interests, press and pulpit, has received its first champion among the Mexicans in an open protest in Mexican town. I. Guillerrez de Lara, Mexican Socialist of Los Angeles, Cal., spoke Sunday afternoon to a crowd which packed the new plaza of Benito Juarez. At the conclusion of the Socialist's address a strong petition protesting against the opening of the new houses was circulated and more than 2000 names attached.

The petition is addressed to the provisional governor of the state, who yesterday permitted the opening of the new houses. Gov. Gonzalez has decreed that all gambling permits granted before the date of the opening of the revolution shall be cancelled, and poker houses have died a painless death as a result. But it appears that the new rights were more fortunate, operating under an older grant.

While the governor maintains justice in permitting the concessions to operate their full time De Lara cries out against the "shame of the federal regime," saying, "they also license the killing of people; shall we?" De Lara's petition, signed by the 2000 Mexican men and women, reads:

"We, the undersigned Mexicans, in complete use of our rights and in public assembly, protest in a most energetic manner against opening of the gambling houses in this city of Juarez, and we declare that our will is that this shame of our country must entirely disappear. Our glorious revolution is dishonored in that we are protecting the same vices and infamies that were protected by despotism, and we resolve that by no pretext shall the opening of the gambling houses be permitted."

"We want to free our homes of this social poison and so we represent this to the authorities in order for them to act in the matter. In regard to the saloons, we ask that they be confined to places outside of the town, where our wives and children are not compelled to see the degrading show of drunkenness."